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EXAMINER

NGUYEN, TOAN D

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 05/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,709

Applicant(s)

GILBERT, LANNY

Examiner

Toan D. Nguyen

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 19-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 19-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 11 and 19-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (US 6,275,575) in view of Hogan et al. (US 5,483,587) further in view of Culbreth et al. (US 5,953,393).

For claim 1, Wu discloses method and system for coordinating and initiating cross-platform telephone conferences, said system comprising:

a call control engine (figure 1, reference 102) for receiving a future audio conference request from the host party (coordinator means) (col. 5 lines 25-29 and col. 5 lines 45-53);

a conference call database (figure 1, reference 103) having a plurality of entries, wherein audio conference information associated with the future audio conference request is stored in one of entries (col. 5 lines 25-29);

a call facility (figure 1, reference 106) for making audio connections, according to the future audio conference request, to the host party (coordinator means) and at least one participant party (figure 1, references 116, 142a-c) (col. 5 line 57 to col. 6 line 6), said call facility (figure 1, reference 106) first attempting an audio connection to the host party (coordinator means) (figure 4A, reference 412 Primary Time and Secondary Time,

col. 9 lines 21-25 and col. 10 lines 39-41) and making an audio connection to the at least one participant party (col. 10 lines 51-53 where the telephone conference server then initiates calls to connect participants and coordinator).

Wu does not expressly disclose making an audio connection to the at least one participant after the host party has answered the audio connection. To make an audio connection to the at least one participant after the host party has answer the audio connection would have been obvious to one of ordinary skill in the art because the host party is the most important element of the conference that setup and control the conference call. Therefore, the host party must be call first so that any participants that answer the call can be connected to the host party.

However, Wu does not disclose the call facility including a common channel signaling system (CCSS). In an analogous art, Hogan et al. disclose the call facility including a common channel signaling system (CCSS) (figure 3, reference 124) (col. 5 lines 30-32). Hogan et al. disclose further a call bridging facility (figure 9, reference 908) for bridging the audio connections between the host party and at least one participant (col. 10 lines 44-45); and wherein each of said at least one participant party is contacted via said call facility regardless of intention or availability and without a capability of responding or directly communicating with said call facility (figure 19, reference steps 1904-1912, col. 17 lines 20-43).

One skilled in the art would have recognized the call facility including a common channel signaling system (CCSS), and would have applied Hogan et al.'s signaling channel in Wu's coordinating server device. Therefore, it would have been obvious to

one of ordinary skill in the art at the time of the invention, to use Hogan et al.'s system and method for call conferencing in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to provide signaling channel 124 to transmit call data 144 (col. 5 lines 23).

Furthermore, Wu in view of Hogan et al. does not expressly disclose wherein if one or more participant parties are unavailable for initial audio connection, then said call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more participant parties unavailable for initial audio connection. In an analogous art, Culbreth et al. disclose wherein if one or more participant parties are unavailable for initial audio connection, then said call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more participant parties unavailable for initial audio connection (figure 1, reference step 130, col. 5 lines 1-5, col. 5 lines 34-35, and col. 9 lines 10-18).

One skilled in the art would have recognized a call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more participant parties unavailable for initial audio connection, and would have applied Culbreth et al.'s call facility in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Culbreth et al.'s personal telephony agent in Wu's method and system for coordinating

and initiating cross-platform telephone conferences with the motivation being to reserve a room and send a confirmation message to the team (col. 5 lines 38-39).

For claim 2, Wu discloses further comprising a timer facility for setting a timer for the future audio conference request (figure 4A, reference 412 Primary Time and Secondary Time, col. 8 lines 30-31).

For claim 3, Wu discloses wherein the future audio conference request includes: a future meeting time, a host destination, and at least one participant destination (figure 4A-C, col. 8 line 24 to col. 9 line 29).

For claim 4, Wu discloses wherein the host destination is a telephone number (figure 1, reference 116, col. 7 lines 2-5 where telephone 116 including a telephone number).

For claim 5, Wu discloses wherein the at least one participant party destination is a telephone number (figure 4A, reference 408, col. 8 lines 7-14 and col. 8 line 63 to col. 9 line 11).

For claim 6, Wu discloses wherein the audio connections are made through a public switched telephone network (figure 1, reference 112, col. 5 lines 12-13).

For claim 7, Wu discloses wherein the host destination is an e-mail address (figure 4B, reference 440, col. 9 lines 12-17).

For claim 8, Wu discloses wherein the at least one participant party destination is an e-mail address (figure 4A, reference 408, col. 8 lines 28-31 and col. 8 line 63 to col. 9 line 11).

For claim 11, Wu discloses wherein the audio connections are made through an Internet (figure 1, reference 124, col. 7 lines 5-8).

For claim 19, Wu discloses method and system for coordinating and initiating cross-platform telephone conferences, the method comprising:

receiving a future audio conference call request from the host party (coordinator means)(col. 5 lines 45-53) and prompting the host party (coordinator means) on a communication device (figure 2A, reference 200) for audio conference information associated with the future audio conference call request (figure 4A, col. 7 lines 38-50 and col. 8 lines 24-29), wherein the audio conference information includes

a future meeting time (figure 4A, reference 412 Primary Time and Secondary Time, col. 8 lines 28-31 and col. 9 lines 21-25);

a host party destination (figure 4A, col. 8 lines 24-49 and col. 8 lines 63-65), and at least one participant party destination (figure 4A, reference 408, col. 8 lines 38-62);

storing the future audio conference call request in a database entry (col. 5 lines 25-29 and col. 5 lines 45-53);

retrieving the database entry at the future meeting time (figure 4A, col. 8 lines 41-62);

attempting to connect the host party destination at the future meeting time via a call facility (figure 1, reference 106) (figure 4A, reference 412 Primary Time and Secondary Time, col. 9 lines 21-25 and col. 10 lines 39-41);

connecting the at least one participant party destination (col. 10 lines 51-53 where the telephone conference server then initiates calls to connect participants and coordinator).

Wu does not expressly disclose connecting the at least one participant party destination if the host party destination establishes a connection. To connect the at least one participant party destination if the host party destination establishes a connection would have been obvious to one of ordinary skill in the art because the host party is the most important element of the conference that setup and control the conference call. Therefore, the host party destination must be established a connection so that the at least one participant destination that answer the call can be connected to the host party destination.

However, Wu does not expressly disclose bridging the host party destination to the at least one participant party destination. In an analogous art, Hogan et al. disclose bridging (figure 9, reference 908) the host party destination to the at least one participant party destination (col. 10 lines 44-45); and wherein each of said at least one participant party is contacted via said call facility regardless of intention or availability and without a capability of responding or directly communicating with said call facility (figure 19, reference steps 1904-1912, col. 17 lines 20-43).

One skilled in the art would have recognized bridging the host party destination to the at least one participant party destination, and would have applied Hogan et al.'s conference bridge in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Hogan et

al.'s system and method for call conferencing in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to bridge the conference participants together on the conference call (col. 10 lines 44-45).

Furthermore, Wu in view of Hogan et al. does not expressly disclose wherein if one or more participant parties are unavailable for initial audio connection, then said call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more participant parties unavailable for initial audio connection. In an analogous art, Culbreth et al. disclose wherein if one or more participant parties are unavailable for initial audio connection, then said call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more participant parties unavailable for initial audio connection (figure 1, reference step 130, col. 5 lines 1-5, col. 5 lines 34-35, and col. 9 lines 10-18).

One skilled in the art would have recognized a call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more participant parties unavailable for initial audio connection, and would have applied Culbreth et al.'s call facility in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Culbreth et al.'s personal telephony agent in Wu's method and system for coordinating

and initiating cross-platform telephone conferences with the motivation being to reserve a room and send a confirmation message to the team (col. 5 lines 38-39).

For claim 20, Wu discloses wherein bridging the host party destination (figure 1, reference 120) to the at least one participant party destination (figure 1, reference 116) is accomplished on a telephone switch (figure 1, reference 112 where the telephone switch is located within the PSTN) (col. 5 lines 12-16).

For claim 21, Wu discloses wherein connecting the host party destination is accomplished through an Internet (figure 1, reference 124, col. 7 lines 5-8).

For claim 22, Wu discloses further comprising setting a timer (figure 4A, reference 412, col. 8 lines 28-31), and associating the timer to the database entry (col. 8 lines 38-59).

For claim 23, Wu discloses method and system for coordinating and initiating cross-platform telephone conferences, the method comprising:

receiving a future audio conference call request from the host party (coordinator means)(col. 5 lines 45-53);

prompting the host party (coordinator means) on a communication device (figure 2A, reference 200) for audio conference information associated with the future audio conference request (figure 4A, col. 7 lines 38-50 and col. 8 lines 24-29), wherein the future audio conference information includes

a future meeting time (figure 4A, reference 412 Primary Time and Secondary Time, col. 8 lines 28-31 and col. 9 lines 21-25);

a host party destination (figure 4A, col. 8 lines 24-29 and col. 8 lines 63-65), and

at least one participant party destination (figure 4A, reference 408, col. 8 lines 38-62);

storing the future audio conference information in a database entry (col. 5 lines 25-29 and col. 5 lines 45-53);

retrieving the database entry at the future meeting time (figure 4A, col. 8 lines 41-62);

attempting to connect the host party destination via a call facility (figure 1, reference 106) (figure 4A, reference 412 Primary Time and Secondary Time, col. 9 lines 21-25 and col. 10 lines 39-41);

connecting the at least one participant party destination (col. 10 lines 51-53 where the telephone conference server then initiates to connect participants and coordinator).

Wu does not expressly disclose connecting the at least one participant party destination if the host party destination establishes a connection. To connect the at least one participant party destination if the host party destination establishes a connection would have been obvious to one of ordinary skill in the art because the host party is the most important element of the conference that setup and control the conference call. Therefore, the host party destination must be established a connection so that the at least participant party destination that answer the call can be connected to the host party destination.

However, Wu does not expressly disclose bridging the host party destination to the at least one participant party destination. In an analogous art, Hogan et al. disclose

bridging (figure 9, reference 908) the host party destination to the at least one participant party destination (col. 10 lines 44-45); and wherein each of said at least one participant party is contacted via said call facility regardless of intention or availability and without a capability of responding or directly communicating with said call facility (figure 19, reference steps 1904-1912, col. 17 lines 20-43).

One skilled in the art would have recognized bridging the host party destination to the at least one participant party destination, and would have applied Hogan et al.'s conference bridge in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Hogan et al.'s system and method for call conferencing in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to bridge the conference participants together on the conference call (col. 10 lines 44-45).

Furthermore, Wu in view of Hogan et al. does not expressly disclose wherein if one or more participant parties are unavailable for initial audio connection, then said call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more participant parties unavailable for initial audio connection. In an analogous art, Culbreth et al. disclose wherein if one or more participant parties are unavailable for initial audio connection, then said call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more

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participant parties unavailable for initial audio connection (figure 1, reference step 130, col. 5 lines 1-5, col. 5 lines 34-35, and col. 9 lines 10-18).

One skilled in the art would have recognized a call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more participant parties unavailable for initial audio connection, and would have applied Culbreth et al.'s call facility in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Culbreth et al.'s personal telephony agent in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to reserve a room and send a confirmation message to the team (col. 5 lines 38-39).

For claim 24, Wu discloses further comprising:

setting a timer (figure 4A, reference 412 Primary Time and Secondary Time, col. 8 lines 28-31), and

associating the timer to the database entry (col. 8 lines 38-59).

For claim 25, Wu discloses wherein the communication device is a cellular telephone (figure 5A, reference 500) having a display (figure 5A, reference 504) for receiving the prompting for the audio conference information associated with the future audio conference call request and having a keypad (figure 5A, reference 508) for sending the audio conference information (figure 5A-B, col. 9 lines 40-59).

For claim 26, Wu discloses method and system for coordinating and initiating cross-platform telephone conferences, comprising:

a call set-up system (figure 1, reference 100) having a timer facility (figure 4A, reference 412 Primary Time and Secondary Time, col. 8 lines 30-31), a call facility (figure 1, reference 106) (col. 5 line 64 to col. 6 line 6), a call control engine (figure 1, reference 102) (col. 5 lines 25-29 and col. 5 lines 45-53), and a conference call database (figure 1, reference 103) (col. 5 lines 26-29), the call set-up system being connected to a public switched telephone network (PSTN)(figure 1, reference 112, col. 5 lines 12-13), and to an Internet (figure 1, reference 124, col. 7 lines 5-8), the PSTN including at least one public switch and conferencing hardware (figure 1, reference 112 where the public switch is located within the PSTN) (col. 5 lines 12-16), the call set-up system being accessible to by a plurality of communication devices (figure 1, references 116, 120, 142a-c, col. 5 line 15-18), the call set-up system to perform a method, including:

prompting for teleconference information on the communication device (figure 2A, reference 200, and figure 4A, col. 7 lines 38-50 and col. 8 lines 24-49), the teleconference information including a teleconference data and time (figure 4A, reference 412 Primary Time and Secondary Time, reference 408 Date (mm/dd/yyyy), col. 8 lines 29-31), a host telephone number (figure 1, reference 116, col. 7 lines 2-5 where host telephone 116 including a telephone number), and at least one participant telephone number (figure 4A, reference 408, col. 8 lines 7-14 and col. 8 line 63 to col. 9 line 11).

receiving the teleconference information (col. 5 lines 45-53);

storing the teleconference information in the conference database entry (col. 5 lines 25-29 and col. 5 lines 45-53);

retrieving the teleconference information at the teleconference date and time (figure 4A-B, col. 8 lines 41-62 and col. 9 lines 11-25);

placing a host call to the host telephone number at the conference date and time (col. 9 lines 21-25, col. 10 lines 39-43 and col. 10 lines 51-53 where the telephone conference server then initiates calls to connect participants and coordinator);

placing at least one participant call to the at least one participant telephone number (col. 10 lines 51-53 where the telephone conference server then initiates calls to connect participants and coordinator).

Wu does not expressly disclose after receiving an first answer at the host telephone number and after receiving at least one second answer at the at least one participant telephone number. To receive an first answer at the host telephone number and after receiving at least one second answer at the at least one participant telephone number would have been obvious to one of ordinary skill in the art because the host party is the most important element of the conference that setup and control the conference call. Therefore, the host telephone number must be call first so that the at least one participant telephone number that answer the call can be connected to the host telephone number.

However, Wu does not disclose a bridge facility, having access to a common channel signaling system (CCSS) and bridging the host call and the at least one participant call. In an analogous art, Hogan et al. disclose a bridge facility (figure 9,

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reference 908, col. 10 line 44), having access to a common channel signaling system (CCSS) (figure 3, reference 124) (col. 5 lines 30-32) and bridging the host call and the at least one participant call (figure 9, reference 908, col. 10 lines 44-45); and wherein each of said at least one participant party is contacted via said call facility regardless of intention or availability and without a capability of responding or directly communicating with said call facility (figure 19, reference steps 1904-1912, col. 17 lines 20-43).

One skilled in the art would have recognized a bridge facility, and would have applied Hogan et al.'s conference bridge in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Hogan et al.'s system and method for call conferencing in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to bridge the conference participants together on the conference call (col. 10 lines 44-45).

Furthermore, Wu in view of Hogan et al. does not expressly disclose wherein if one or more participant parties are unavailable for initial audio connection, then said call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more participant parties unavailable for initial audio connection. In an analogous art, Culbreth et al. disclose wherein if one or more participant parties are unavailable for initial audio connection, then said call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more

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participant parties unavailable for initial audio connection (figure 1, reference step 130, col. 5 lines 1-5, col. 5 lines 34-35, and col. 9 lines 10-18).

One skilled in the art would have recognized a call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more participant parties unavailable for initial audio connection, and would have applied Culbreth et al.'s call facility in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Culbreth et al.'s personal telephony agent in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to reserve a room and send a confirmation message to the team (col. 5 lines 38-39).

For claim 27, Wu discloses wherein the plurality of communication devices include a telephone (figure 1, reference 116), the telephone being connected to a public switch, the public switch being connected to the PSTN (figure 1, reference 112, where the public switch is located within the PSTN) (col. 5 lines 12-16).

For claim 28, Wu discloses wherein the plurality of communication devices include a cellular telephone (figure 1, reference 142a-c), the cellular telephone being in radio communication with a base station, the base station being connected to a mobile switching center (MSC), the mobile switching center (figure 1, reference 136, wireless network 136 (e.g., CDMA, TDMA, PHS, GPRS, GSM, etc.)) being connected to the PSTN (figure 1, reference 112, a bidirectional link is connected between PSTN 112 and wireless network 136).

3. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (US 6,275,575) in view of Hogan et al. (US 5,483,587) and Culbreth et al. (US 5,953,393) further in view of Roy (US 6,697,341).

For claim 9, Wu in view of Hogan et al. and Culbreth et al. do not expressly disclose wherein the host destination is an Internet Protocol address. In an analogous art, Roy discloses wherein the host destination is an Internet Protocol address (col. 2 lines 46-54). Roy discloses further wherein the at least one participant party destination is an Internet Protocol address (col. 2 lines 46-54 as set forth in claim 10).

One skilled in the art would have recognizes the host destination is an Internet Protocol address, and would have applied Roy's start-up signals include information regarding the destination addresses in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Roy's apparatus and method for providing multimedia conferencing services with selective performance parameters in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to provide an operator of the user device 100 to communicate with the user devices 106, 108, 112 (col. 2 lines 46-49).

4. Claims 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (US 6,275,575) in view of Hogan et al. (US 5,483,587) and Culbreth et al. (US 5,953,393) further in view of Buskirk, Jr. (US 6,178,183).

For claim 29, Wu discloses wherein the plurality of communication devices include a personal digital assistant (PDA) (figure 1, 142a, col. 2 line 59), the PDA being

connected to the Internet (figure 1, reference 124) and PSTN (figure 1, reference 112 where the public switch is located within the PSTN (being connected to the PSTN means), col. 5 lines 10-18).

However, Wu in view of Hogan et al. and Culbreth et al. does not expressly disclose an Internet service provider (ISP) the ISP being connected to a public switch and the Internet. In an analogous art, Buskirk, Jr. discloses an Internet service provider (ISP) the ISP (figure 4, reference 413) being connected to a public switch (figure 4, reference 403) and the Internet (col. 5 lines 8-7).

One skilled in the art would have recognized an Internet service provider (ISP), and would have applied Buskirk, Jr.'s Internet service provider in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Buskirk, Jr.'s method and apparatus for receiving conventional telephone calls while connected to the Internet in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to provide access for users to the Internet.

For claim 30, Wu discloses wherein the plurality of communication devices include a computer (figure 1, 120, col. 5 line 16), the computer being connected to the Internet (figure 1, reference 124) and PSTN (figure 1, reference 112 where the public switch is located within the PSTN (and being connected to the PSTN means), col. 5 lines 10-18).

However, Wu in view of Hogan et al. does not expressly disclose an Internet service provider (ISP) the ISP being connected to a public switch and the Internet. In an

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analogous art, Buskirk, Jr. discloses an Internet service provider (ISP) the ISP (figure 4, reference 413) being connected to a public switch (figure 4, reference 403) and the Internet (col. 5 lines 8-7).

One skilled in the art would have recognized an Internet service provider (ISP), and would have applied Buskirk, Jr.'s Internet service provider in Wu's coordinating server device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Buskirk, Jr.'s method and apparatus for receiving conventional telephone calls while connected to the Internet in Wu's method and system for coordinating and initiating cross-platform telephone conferences with the motivation being to provide access for users to the Internet.

Response to Arguments

5. Applicant's arguments filed 02/28/06 have been fully considered but they are not persuasive.

The applicant argues with respect to claims 1, 19, 23, and 26, that Hogan fails to teach "wherein each of said at least one participant party is contacted via said call facility regardless of intention or availability and without a capability of responding or directly communicating with said call facility". The examiner disagrees. Applicant's attention is directed to Hogan patent at col. 17 lines 37-43 (figure 19, reference step 1912) where Hogan clearly teaches, "In step 1912, a conference participant is originated and connected to the participant port 1116 at conference bridge 908. In this step, operator console 308 (i.e., a human operator at manual operator console 332 or an automated voice response unit 334) contacts the participant. If the participant wishes

to join the conference, operator console 308 informs the conference call controller 904."

At col. 20 lines 40-66 (figure 22, reference steps 2208, 22012, 2216, 2220), Hogan teaches further "In a step 2208, network control processor 304 originates a call to the conference participant. In one embodiment, this is accomplished by originating a call to the conference participant and connecting the participant to a conference port 1116 (referred to as participant port 1116 for ease of description) on conference bridge 908 when the conference participant answer... In step 2216, the operator at manual operator console 332 informs the participant that the conference is beginning and asks the participant whether he or she would still like to participate in the conference... If the conference participant wishes to join in the conference call, the operator console 308 informs conference call controller 904 of this desire. This occurs in a step 2220."

The examiner informed Mr. Fox during the interview on March 08, 2006 that the limitation as recited in the claims "without a capability of responding or directly communicating with said call facility" was not supported by the specification.

The applicant argues with respect to the claims 1, 19, 23, and 26, that Culbreth does not teach "wherein if one or more participant parties are unavailable for initial audio connection, then said call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more participant parties unavailable for initial audio connection." The examiner disagrees. Applicant's attention is direct to Culbreth patent at col. 5 lines 1-5 where Culbreth clearly teaches "If a recipient is not reach, stage 130 may retry delivery at predetermined intervals until the

recipient is reached. After a certain amount of time and number of unsuccessful delivery attempts, the attempt to deliver the message to that recipient is considered to have failed." At col. 5 lines 34-37 where Culbreth further teaches "At this point, Mary may choose to decide on a new time and send a new message, since not everyone will be able to attend at the time she requested."

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D. Nguyen whose telephone number is 571-272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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TN
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